

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION


Kevin A. Tolliver,	:	
Plaintiff,	:	Case No. 2:07-cv-0006
v.	:	JUDGE SARGUS
Scott A. Mittman, Esq., et al.,	:	
Defendants.	:	

ORDER

Plaintiff Kevin Tolliver has moved to dismiss this case under Fed.R.Civ.P. 41(a). He has requested, in the alternative, additional time to respond to the Magistrate Judge's Report and Recommendation which recommends dismissal of the case for want of jurisdiction.

No answer or motion for summary judgment has been filed in this case. Mr. Tolliver is therefore entitled to dismiss the case voluntarily. Consequently, his motion to dismiss (#19) is GRANTED. This case is DISMISSED WITHOUT PREJUDICE. The alternative motion for an extension (#20) is moot.

Date: 11-8-2007



Edmand A. Sargus, Jr.
United States District Judge